IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 22991 of 2005

Between:

Y.Durgaiah

..... PETITIONER

AND

The Assistant Commissioner of Police

Secunderabad and another

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents in not investigating and filing charge sheet in Cr.No.189/2005 on the file of the 2nd respondent, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

It is the case of the petitioner that he has been working as a Manager Operations in Sioux Biligiri B7, Vikrampuri, Secunderabad and looking after its entire operations. It is stated that on 03.09.2005 he was humiliated and man handled by some of the members of the concern, for which he made a complaint to the 2nd respondent and on 21.09.2005 a crime was registered in Cr.No.189 of 2005 for the offences under Sections 342, 506, 386, 323 of IPC and under Section 3 (1) (x) of SC & ST Prevention of Atrocities Act against the accused persons. The grievance of the petitioner is that though one month has elapsed, the respondents have not taken any steps in investigating the matter and arresting the accused persons.

It is the statutory duty of police to investigate into the crime if any registered and file either final report or charge sheet before the concerned court.

Having regard to the facts and circumstances of the case, the respondents are directed to investigate the matter in Cr.No.189/2005 on the file of the 2nd respondent, as expeditiously as possible, and file either final report or charge sheet, as the case may be, within a period of two months from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 26.10.2005

Dsr